

REMARKS:

In the outstanding Office Action, the Examiner rejected claims 1-10. Claims 1, 2 and 8-10 are amended herein, and new claim 11 is added. No new matter is presented. Thus, claims 1-11 are pending and under consideration. The rejections are traversed below.

REJECTION UNDER 35 U.S.C. § 102(e):

Claims 1, 2 and 8-10 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,467,684 (Fite).

Fite is directed to a pre-paid card system for purchasing products/services offered by a merchant who is registered with the system. For example, a merchant who wants to use the Fite pre-paid card system is required to be registered in a host database (12) and provided with identification information including an account associated therewith (see, col. 1, lines 52-57 and col. 3, lines 53-65). The merchant is required to register with a host bank (30) that is participating in the Fite pre-paid card system (see, col. 3, lines 53-65). That is, the Fite system requires merchants to adopt a new payment method.

The present invention provides a Universal Cash Online (UCO) method as payment in an electronic transaction. The UCO method provides a practical real world solution utilizing existing payment protocols already used by merchants. For example, the UCO method transforms or converts cash provided by a consumer as a payment for a transaction into whatever form of an electronic payment already acceptable by a merchant (i.e., credit card, electronic check, etc.). That is, the UCO method and system of the present invention executes anonymous online transactions using existing systems and protocols.

Independent claims 1 and 8 recite the present invention includes, "performing monetary transactions without linking the bearer bond to identity of a specific user" using "the bearer bond as a payment using existing payment protocols" ("electronic online bearer bond" in claim 8).

Independent claim 2 also recites, "electronic document being provided without linking the electronic document to identity of a specific user... to perform said transactions with the electronic document as a payment using existing payment protocols".

Independent claims 9 and 10 respectively recite that an electronic transaction is executed using "the issued interactive electronic bearer document as a form of payment using existing payment protocols" and "the interactive electronic bearer document as a form of payment with respect to an existing accepted form of payment".

Fite does not teach or suggest enabling consumers to execute a transaction using preferred methods of payment using “existing payment protocols” (claims 1, 2, 8 and 9) and allowing the preferred methods of payment are accepted as “a form of payment with respect to an existing accepted form of payment” (claim 10). Instead, Fite requires merchants to adopt the pre-paid cards as form of payment using which customers execute transactions.

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. §103(a):

Claims 3-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Fite and U.S. Patent No. 5,897,621 (Boesch).

Boesch links customer and merchant accounts including identity thereof for executing a multicurrency transaction. In Boesch, a server maintains a customer account associated with a customer user and a merchant user (see, column 4, lines 10-17) to identify the customer and the merchant based on the stored information related to the customer and merchant (see, column 5, lines 53-65).

Independent claim 3 recites, “converting the first value in the first currency into a second value in a second currency” and “executing an electronic transaction by using the second value of the second currency as payment for the item without linking identity of parties to execute the electronic transaction”. For example, a form of payment in the first currency can be accepted as another form of payment in the second currency.

It is respectfully submitted that there is no teaching or suggestion of combining Boesch directed to a multicurrency transaction that links identity of the customer and the merchant for execution with the Fite pre-paid card system that uses unique number assigned to a card (see, In re Fitch, 23 U.S.P.Q.2d 1780, Fed Cir. 1992).

Further, even if Fite and Boesch were combined, the combination thereof does not teach or suggest, “converting the first value in the first currency into a second value in a second currency” for executing a transaction using a form of payment in the first currency as another in the second currency (claim 3).

It is submitted that the independent claims are patentable over Fite and Boesch.

For at least the above-mentioned reasons, claims depending from the independent claim 3 are patentably distinguishable over the Fite and Boesch. The dependent claims are also independently patentable. For example, as recited in claim 7, “the first and second currencies

are hard currencies". The Fite and Boesch, alone or in combination, do not teach or suggest these features of claim 7.

Therefore, withdrawal of the rejection is respectfully requested.

NEW CLAIM:

New claim 11 has been added to emphasize that the present invention includes, "receiving an electronic document having a first form of payment" and "converting value of the first form of payment into a universally accepted form of payment" for use with "a merchant system having a second form of payment in current use". This enables the present invention to create "a universally accepted form of payment" even with respect to "a merchant system having a form of payment in current use".

The cited references, alone or in combination, do not teach or suggest, "converting value of the first form of payment into a universally accepted form of payment for use [as] a second form of payment in current use", as recited in new claim 11.

Therefore, it is submitted that new claim 11 is patentably distinguishable over the cited references.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By: 
J. Randall Beckers
Registration No. 30,358

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501